

AMENDED IN ASSEMBLY APRIL 15, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2363**

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**Introduced by Assembly Members Ma and Adams**

February 21, 2008

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~~An act to add Section 1947.9 to the Civil Code, relating to residential property.~~ *An act to amend Section 9003 of, and to add Section 9002.5 to, the Penal Code, relating to sex offenders.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2363, as amended, Ma. ~~Residential Tenancies: Sex Offenders Management Board.~~

*Existing law, until January 1, 2010, establishes the Sex Offender Management Board under the jurisdiction of the Department of Corrections and Rehabilitation for the purpose of addressing issues, concerns, and problems related to the community management of the state's adult sex offenders, with a goal of safer communities and reduced victimization. Existing law requires the board to conduct a thorough assessment of current management practices for adult sex offenders and to submit a report to the Legislature on that assessment, and develop recommendations for improving management practices.*

*This bill would extend the operative date of those provisions until January 1, 2012. The bill also would require the board to conduct a thorough assessment of (1) the availability of rental housing for sex offenders and (2) the effect on public safety of making registration or specified information disclosed a basis upon which to refuse to rent to, or to terminate a tenancy of, a registered sex offender. The board would be required to submit a summary of its findings to the Legislature and the Governor by January 1, 2012.*

Existing law establishes procedures governing the rental of residential property units.

~~This bill would specify that information disclosed pursuant to registered sex offender provisions, when utilized to protect a person at risk, constitutes a cause to terminate a residential rental tenancy in any jurisdiction that requires a finding of specific cause before eviction proceedings may be initiated.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 9002.5 is added to the Penal Code, to*  
2     *read:*

3     *9002.5. (a) In addition to any plan or recommendations*  
4     *required pursuant to Section 9002, the board shall conduct a*  
5     *thorough assessment of (1) the availability of rental housing for*  
6     *persons required to register under the Sex Offender Registration*  
7     *Act and (2) the effect on public safety of making registration or*  
8     *any information disclosed pursuant to Section 290.46, a basis upon*  
9     *which to refuse to rent to, or to terminate the residential tenancy*  
10    *of, a registered sex offender. The board may conduct public*  
11    *hearings, as it deems necessary, for the purpose of gathering*  
12    *information or otherwise facilitating and completing the assessment*  
13    *required by this section.*

14    *(b) The board shall submit a summary of its findings to the*  
15    *Legislature and the Governor on or before January 1, 2012.*

16    *SEC. 2. Section 9003 of the Penal Code is amended to read:*

17    *9003. This chapter shall remain in effect only until January 1,*  
18    *2010 2012, and as of that date is repealed, unless a later enacted*  
19    *statute, that is enacted before January 1, 2010 2012, deletes or*  
20    *extends that date.*

21    ~~*SECTION 1. Section 1947.9 is added to the Civil Code, to*~~  
22    ~~*read:*~~

23    ~~*1947.9. Notwithstanding any other provision of law,*~~  
24    ~~*information disclosed pursuant to Section 290.46 of the Penal*~~  
25    ~~*Code, when utilized to protect a person at risk, constitutes a cause*~~  
26    ~~*to terminate a residential rental tenancy in any jurisdiction that*~~

- 1 ~~requires a finding of specific cause before eviction proceedings~~
- 2 ~~may be initiated.~~

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